

requirement. Thus, Applicant has interpreted the requirement as an election of species requirement for purposes of this response.

The Examiner has required an election in the present application between:

Species I, dual-band receiver;
Species II, tri-band receiver;
Species III, dual-band transceiver;
Species IV, tri-band transceiver;
Species V, dual-band transmitter; and
Species VI, tri-band transmitter

For the purpose of examination of the present application, Applicants elect Species I, dual-band receiver with traverse.

Claims 2 and 12-16 are directed to the elected species. As acknowledged by the Examiner, at least claims 2 and 3 are generic.

Applicant disagrees with the grouping of claims with respect to species. In particular, Applicant submits that the dual-band transmitter and dual-band receiver belong to a single species because the receiver is configured to respond to a signal from the transmitter. Thus, Applicant submits that a species of the present invention is a group consisting of claims 1 and 4-11 and claims 2 and 12-16. Accordingly, Applicant respectfully requests examination of at least claims 1, 2, and 4-16.

In addition, in the event that generic claim 2 is found allowable, Applicant respectfully requests examination of claims 2,

not
feasible
multiple
transmitters
could be
used as
a signal
pgy signal
radio
signal

12-16, and 33-37, for which claim 2 has been stated as being generic to.


In response to the Notice of Draftsperson's Patent Drawing Review, Form PTO-948, Applicant provides herewith a set of corrected formal drawings. Applicant respectfully request that the objection to the drawings be withdrawn.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Terrell C. Birch, #19,382

RWD
TCB/RWD/mzk
0033-0662P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000